

### REMARKS/ARGUMENTS

The claims are 5-13. Claim 1 has been canceled in favor of new claim 13 to better define the invention. Accordingly, claims 5-11 which previously depended on claim 1 have been amended to depend on new claim 13. These claims and claim 12 have also been amended to improve their form or to delete reference numerals. Reconsideration is expressly requested.

The drawings were objected to under 37 C.F.R. 1.83(a) as failing to show the "cleaning element having a slightly smaller circumference than the retaining body", and claims 1 and 5-12 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite in the use of the phrase "tube or hose shape" in claim 1.

In response, Applicants have canceled claim 1 in favor of new claim 13. New claim 13 does not include the recitation that the cleaning element has a slightly smaller circumference than the retaining body and does not use the phrase "tube or hose shape." Accordingly, it is respectfully submitted that the Examiner's objection to the drawings under 37 CFR 1.83(a) and to

the claims under 35 U.S.C. 112, second paragraph, should be withdrawn.

Claims 1, 5, 8 and 11-12 were rejected under 35 U.S.C. 102(b) as being anticipated by *Steward*, U.S. Patent No. 2,560,008. Claims 1, 7 and 9-10 were rejected under 35 U.S.C. 102(b) as being anticipated by *Ichikawa et al.*, JP 2002-143065. Claims 1, 5-6 and 10-11 were rejected under 35 U.S.C. 102(b) as being anticipated by *Kersch*, U.S. Patent No. 2,516,396.

This rejection is respectfully traversed.

As set forth in new claim 13, Applicants' invention provides a brush system including a retaining handle, a retaining body held by the retaining handle, and a cleaning element. The retaining body includes a first portion covered by the retaining handle and a second portion not covered by the retaining handle. The cleaning element includes an elastic band of cleaning material surrounding the retaining body with elastic bias and wedged in between the retaining handle and the retaining body. The cleaning element further includes a first working surface and at least one second working surface.

As recited in new claim 13, the cleaning element is movable from a first functional position to at least one second functional position. The first working surface is adjacent to the second portion of the retaining body when the cleaning element is moved into the first functional position, and the at least one second working surface is adjacent to the second portion of the retaining body when the cleaning element is moved into the at least one second functional position.

None of the cited references discloses or suggests a brush system having the structure recited in new claim 13 or teaches the benefits of that structure including a cleaning element in which an elastic band of cleaning material surrounds a retaining body held by a retaining handle with elastic bias and wedged in between the retaining handle and the retaining body, with the cleaning element including a first working surface and at least one second working surface. With Applicants' brush system as recited in new claim 13, two or more working surfaces are arranged next to each other and can be used one after the other, which is not possible with any of the cited references.

Accordingly, it is respectfully submitted that new claim 13 together with claims 5-12, which depend directly or indirectly thereon, are patentable over the cited references.

Applicants would also like to point out that a European patent has been granted on the corresponding European patent application. A copy of this European patent with the claims in English is enclosed for the Examiner's consideration.

In summary, claim 1 has been canceled, claims 5-12 have been amended, and new claim 13 has been added. In view of the foregoing and withdrawal of the final action and allowance of this application are respectfully requested.

Respectfully submitted,

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Enclosures: Copy of Petition - 2 month extension of time  
Copy of European Patent - EP 1 646 308

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 26, 2008.

  
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